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FM AMEMBASSY BANGKOK

TO RUEHC/SECSTATE WASHDC PRIORITY 4053

INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS

RUEHBJ/AMEMBASSY BEIJING 6252

RUEHBY/AMEMBASSY CANBERRA 8955

RUEHUL/AMEMBASSY SEOUL 4828

RUEHKO/AMEMBASSY TOKYO 0973

RUEHWL/AMEMBASSY WELLINGTON 2363

RUEHCHI/AMCONSUL CHIANG MAI 5552

RUEAIIA/CIA WASHINGTON DC

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C O N F I D E N T I A L BANGKOK 002488

SIPDIS

NSC FOR PHU

E.O. 12958: DECL: 08/19/2018

TAGS: [PGOV](#) [PINR](#) [TH](#)

SUBJECT: PEOPLE'S POWER PARTY DISSOLUTION: NOT YET

REF: A. BANGKOK 02357

[¶](#)B. BANGKOK 02091

Classified By: Charge D'Affaires James F. Entwistle, reason 1.4 (b) and (d).

[¶](#)11. (C) Summary and comment: On a day when Thailand was anticipating two legal decisions on issues of national political significance, nothing happened. The long awaited ruling by the Election Commission (EC) on possible dissolution of the People's Power Party was deferred until September 2, and the Supreme Administrative Court refused to issue an injunction to block three Cabinet officials who had been indicted on corruption charges from carrying out their duties, claiming it did not have jurisdiction in the case. These two non-developments mean that Thailand's political landscape, for now, remains unchanged. Although this could be interpreted as evidence that the most influential institutions in Thailand have determined that former Prime Minister Thaksin's departure from Thailand resolves the main issue clogging the country's political arteries, it could also merely be a reluctance by these institutions to further roil the waters and an acknowledgment of the importance of their decisions. End summary and comment.

[¶](#)12. (SBU) On Wednesday, August 20 Thai press reported that the EC deferred its ruling on whether the Peoples Power Party should be dissolved because of electoral fraud committed by former house speaker and PPP deputy leader Yongyuth Tiyapairat. The official reason given to the press was that EC members needed more time to assess critical evidence and testimony before making a decision.

[¶](#)13. (C) Two Embassy contacts in the EC office, Mr. Jakkarin Komolsiri (protect), Secretary to Elections Commissioner Sodsri Sattayatham, and Mr. Bunyakiat Rakchartcharoen (protect), Director of the Election Division, told us that the decision to put off the ruling on the PPP case had stemmed from technical errors involving information and evidence in the case, and not political interference. (Note: Neither Jakkarin nor Bunyakiat would elaborate on what the technical errors were. End note.) Separately, Ekkaphap Polsue (protect), former Deputy Secretary General to the Prime Minister, gave us a more complete reason for the deferment. Without citing his sources, Ekkaphap claimed that that the deferment was due to a split in the EC. He said two of the election commissioners (no names given) were adamant that Yongyut's electoral fraud was an issue of individual guilt,

so the entire PPP should not bear the punishment. The remaining three commissioners saw it as a broader issue involving the entire political party because of Yongyuth's position as deputy leader. Ekkaphap said the deferment was the result of all the commissioners agreeing that more time was needed in the hope of achieving a clear consensus on the ruling.

¶4. (SBU) In the other non-event of significance, the Supreme Administrative Court decided it did not have jurisdiction to rule on a People's Alliance for Democracy (PAD) law suit regarding the ability of three members of Prime Minister Samak's cabinet to maintain their positions. According to press sources, the court forwarded the case to the Central Administrative Court, which it said had jurisdiction over the matter. Separately, however, the Council of State, a bureau under the office of the Prime Minister that advises the Prime Minister and cabinet on legal matters, issued an advisory opinion that the three ministers did not need to step down from their positions because they were not members of the current cabinet when the alleged offense occurred. (Note: See reftel A. The PAD alleged that Deputy Prime Minister/Finance Minister Surapong Suebwonglee, Labor Minister Uraiwan Thienthong, and Deputy Transportation Minister Anurak Jureemart had violated Thai law when they refused to resign their positions despite the fact that the Supreme Court's Department for Holders of Political Positions had accepted their "dereliction of duty" case for trial. End note.)

ENTWISTLE